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EXAMINER

NGUYEN, KHAI MINH

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2617

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/749,711 | Applicant(s) JACOB, KURIAN | |
| | Examiner KHAI M. NGUYEN | Art Unit 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claims 1, 13, and 24 have been amended.

Sheha clearly discloses establishing a second communication connection (fig.1: user or device #1 communicate directly with computing devices 126 and 127); the second communication connection being a direct peer-to-peer communication connection between the user communication device ([0083] user or device #1 communicate directly with computing devices 126 and 127) and a communication device of the service provider (fig.1, [0083]).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 12-17, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Background of the invention (U.S.Pub-20050143095), and further in view of Sheha (U.S.Pub-20040054428).

Regarding claim 1, Chaskar teaches a method of providing a service to a user of the service comprising the steps of:

establishing first a communication connection (fig.3-4, [0003] lines 1-3), the first communication connection being between a user communication device (fig.2, item 10) and a service provider agent (LCS) ([0003], [0005]);

requesting a service from the service provider agent via the first communication connection ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area and [0031]);

providing location information identifying the location of the user to the service provider agent (fig.1: items 44 and 46, [0024] and [0026] determining the location of the mobile station);

Chaskar fails to specifically disclose dispatching a service provider to the user based upon the requested service and the location information; and completing a service transaction via the communication connection upon rendering of the service at the location of the user by the service provider.

However, Background of the invention teaches dispatching a service provider to the user based upon the requested service and the location information ([0002] for example, to order a transportation service, one may call a dispatcher for a given transportation service, notify the dispatcher of the location where the service is needed, i.e., the pickup location, the type of service requested, e.g., limo, taxi, etc., and the destination); and completing a service transaction via the communication connection upon rendering of the service at the location of the user by the service provider ([0004]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Background of the invention to Chaskar to allow users to order or request service quickly and easy.

Chaskar and Background of the invention fail to specifically disclose establishing a second communication connection, the second communication connection being a direct communication connection between the user communication device and the service provider;

However, Sheha teaches establishing a second communication connection (fig.1: user or device #1 communicate directly with computing devices 126 and 127); the second communication connection being a direct peer-to-peer communication connection between the user communication device ([0083] user or device #1 communicate directly with computing devices 126 and 127) and a communication device of the service provider (fig.1, [0083]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Sheha to Chaskar and Background of the invention to allow users to request service quickly.

Regarding claim 2, Chaskar teaches the first communication connection comprises a wireless communication connection selected from the group of wireless communication connections comprising: a cellular radiotelephone communication connection (fig.6, [0039], [0051], claim 1), a paging communication connection and a wireless data communication connection (fig.6, [0039], [0051], claim 1).

Regarding claim 3, Chaskar teaches the step of providing location information comprises determining location information at the user communication device ([0039], [0051], claim 1) and communicating the location information to the service provider agent via the first communication link ([0039], [0051], claim 1)

Regarding claim 4, Sheha further teaches the second communication connection is established relative to the proximity of user communication device and the computer device of the service provider (fig.1, [0083]).

Regarding claim 6, Background of the invention further teaches the step of dispatching a service provider comprising obtaining service preference data for the user ([0002]-[0003]).

Regarding claim 12, Background of the invention further teaches the step of dispatching a service provider to the user comprises informing the user to transit to a location of the service provider ([0002]-[0003]).

Regarding claim 13, Chaskar teaches a user communication device comprising:

a processor coupled to a memory (fig.2 controller, memory), the memory including a control program for controlling operation of the processor (fig.2);

a transceiver coupled to the processor (fig.2), transceiver being operable to establish a first communication connection with a service provider agent (fig.3-4, [0003] lines 1-3) and

a user interface coupled to the processor (fig.2);

wherein, the processor (item 50) is operable responsive to an input at the user interface (fig.2: keypad 85) to cause the transceiver to communicate via the first communication connection a service request to the service provider agent (LCS) ([0003], [0005]), the service request including location information relating to the user communication device ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area, [0024], [0026] determining location of mobile device, and [0031]), and.

Chaskar fails to specifically disclose communicate service transaction data directly with the service provider device, which is dispatched to a location of the user

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responsive to the service request and the location information, via the communication connection upon rendering of the requested service.

However, Background of the invention teaches communicate service transaction data directly with the service provider device ([0002]), which is dispatched to a location of the user responsive to the service request and the location information ([0002] for example, to order a transportation service, one may call a dispatcher for a given transportation service, notify the dispatcher of the location where the service is needed, i.e., the pickup location, the type of service requested, e.g., limo, taxi, etc., and the destination), via the communication connection upon rendering of the requested service ([0004]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Background of the invention to Chaskar to allow users to order or request service quickly and easy.

Chaskar and Background of the invention fail to specifically disclose a second communication connection with a service provider device; and via the second communication connection, which is a direct peer-to-peer communication connection between the user communication device and the service provider device.

However, Sheha teaches a second communication connection with a service provider device (fig.1: user or device #1 communicates directly with item 124); and via the second communication connection (fig.1: user or device #1 communicate directly with computing devices 126 and 127), which is a direct peer-to-peer communication

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connection between the user communication device and the service provider device (see fig.1, [0083] user or device #1 communicate directly with computing devices 126 and 127).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Sheha to Chaskar and Background of the invention to allow users to request service quickly.

Regarding claim 14, Chaskar teaches the location information comprises user communication device determined location data ([0024]-[0026]).

Regarding claim 15, Background of the invention further teaches the service request comprises user service preference data ([0002]-[0003]).

Regarding claim 16, Background of the invention further teaches the service request comprises user preference look-up data ([0002]-[0003]).

Regarding claim 17 is rejected with the same reasons set forth in claim 2.

Regarding claim 22, Chaskar teaches a location detector coupled to the processor to provide the location information (fig.2, [0024]-[0026]).

4. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Sheha (U.S.Pub-20040054428), and further in view of Background of the invention (U.S.Pub-20050143095).

Regarding claim 24, Chaskar teaches an apparatus associated with a user comprising:

means for communicating a service request from the user (mobile station) to a service provider agent ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area and [0031]);

means for providing location information associated with the user of a service to the service provider agent ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area, [0024], [0026] determining location of mobile device, and [0031]).

Chaskar fails to specifically disclose means for directly communicating service transaction data via a direct peer-to-peer communication connection with a communication device of a service provider dispatched to a location of the user responsive to the service request.

However, Sheha teaches means for directly communicating service transaction data via a direct peer-to-peer communication connection with a communication device of a service provider dispatched to a location of the user responsive to the service request (see fig.1, [0083] user or device #1 communicate directly with computing devices 126 and 127).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Sheha to Chaskar to allow users to request service quickly.

Chaskar and Sheha fail to specifically disclose the location information thereby completing a service transaction upon rendering of the service by the service provider.

However, Background of the invention teaches the location information thereby completing a service transaction upon rendering of the service by the service provider ([0004]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Background of the invention to Chaskar and Sheha to allow users to order or request service quickly and easy.

5. Claims 5, 7-11, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Background of the invention (U.S.Pub-20050143095), in view of Milman (U.S.Pub-20040014479), and further in view of Chan et al. (U.S.Pub-2004020638)

Regarding claim 5, Chaskar, Background of the invention, and Sheha fail to specifically wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection.

However, Chan teaches wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection (0005, 0022).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Chan to Chaskar, Background of the invention, and Milman to provide a method for delivering service to users.

Regarding claim 7, Chan further teaches the step of completing a service transaction comprises communicating an information token (abstract).

Regarding claim 8, Sheha further teaches the information token comprises service instructions ([0028]).

Regarding claim 9, Background of the invention further teaches the information token comprises payment data ([0004]).

Regarding claim 10, Chan further teaches the step of requesting a service is affected in a single user action (abstract, [0040]-[0042]).

Regarding claim 11, Chan further teaches the single user action comprises selection of a bookmark for establishing the first communication connection and requesting the service (abstract, [0040]-[0042]).

Regarding claim 18 is rejected with the same reasons set forth in claim 5.

Regarding claim 19 is rejected with the same reasons set forth in claim 5.

Regarding claim 20 is rejected with the same reasons set forth in claim 7.

Regarding claim 21 is rejected with the same reasons set forth in claim 9.

Regarding claim 23 is rejected with the same reasons set forth in claim 10.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/
Examiner, Art Unit 2617

12/29/2009